

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION – DETROIT

IN THE MATTER OF:

Stephanie V. Matthews, Debtor(s).

CHAPTER 13

CASE NO. 16-46136-WSD

JUDGE WALTER SHAPERO

**TRUSTEE'S OBJECTIONS TO
CONFIRMATION OF CHAPTER 13 PLAN**

NOW COMES, the Chapter 13 Trustee, Tammy L. Terry, and objects to confirmation of the Chapter 13 Plan in the above matter pursuant to E.D. Mich. L.B.R. 3015-3(a) and 11 U.S.C. §1307(c)(5) as follows:

1. The Plan fails to increase its funding upon the termination of the obligation to KIA Financial in contravention of 11 U.S.C. 1325(b)(1)(B) and 11 U.S.C. 1325(a)(3).

2. The Trustee objects to the debtors' failure to provide complete information in parts 2 and 3 of the Bankruptcy Petition Coversheet and request an amendment of same.

3. A review of the Debtors Schedule I indicates a 401k loan in the monthly amount of \$46.65. The Trustee requests the Debtor provide the specific date upon which this obligation will be paid in full. To the extent that this obligation will be paid in full during the pendency of the Chapter 13 case, the Trustee requests that best efforts be increased by the amount of the 401k loan payment in the month immediately following the month in which the obligation is paid in full.

4. The Trustee request that the debtor provide proof of the Social Security Benefit in the amount of \$596.00 prior to confirmation.

5. The debtor's Plan fails to provide that all of the debtor's projected disposable income be utilized to fund the Plan. Specifically, the debtor's Schedule J has overstated the following expense(s) in contravention of 11 U.S.C. 1325(a)(3) and/or 11 U.S.C. 1325(b):

- a. Rent/Homeownership Expense - \$950.00.
- b. Vehicle Insurance -\$495.00. The Trustee request that the debtor provide a copy of the declaration sheet prior to confirmation.
- c. Car payment - \$639.00.

The Trustee requests that the debtor provide proof of these expenses within fourteen days.

6. Debtor(s) has failed to provide for the residential lease as a part of the Chapter 13 Plan and schedules.

WHEREFORE, the Chapter 13 Trustee requests this Honorable Court deny confirmation of the debtor's (s') Chapter 13 Plan and dismiss this case pursuant to 11 U.S.C. §1307(c)(5).

July 6, 2016

OFFICE OF THE CHAPTER 13 TRUSTEE-DETROIT

Tammy L. Terry, Chapter 13 Trustee

/s/ Tammy L. Terry

/s/TAMMY L. TERRY (P-46254)

Chapter 13 Standing Trustee

/s/ KIMBERLY SHORTER - SIEBERT (P-49608)

/s/ MARILYN R. SOMERS-KANTZER (P-52488)

Staff Attorneys

535 Griswold, Suite 2100

Detroit, MI 48226

(313) 967-9857

mich_ccfadmin@det13.net

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CERTIFICATE OF MAILING

I hereby certify that on July 4, 2016, a copy of **TRUSTEE'S OBJECTIONS TO CONFIRMATION OF CHAPTER 13 PLAN** was electronically filed with the Clerk of Court, served electronically to the debtor's(s') attorney and a copy of same deposited in the U. S. Mail to the debtor (s) at the address as it appears below.

/s/ LaToya Ethridge

For the Office of the Chapter 13 Trustee-Detroit

535 Griswold, Suite 2100

Detroit, MI 48226

(313) 967-9857

mieb_ecfadmin@det13.net

Stephanie V. Matthews
3476 Seminole
Detroit, MI 482140000

Babut Law Offices, PLLC
700 Towner Street
Ypsilanti, MI 481980000